

**REMARKS**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

**Status of Claims:**

No claims are currently being canceled.

Claims 28 and 30 are currently being amended.

No claims are currently being added.

This amendment and reply amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 28-31, 38 and 39 remain pending in this application.

**Claim Rejections – Prior Art:**

In the Office Action, claims 28 and 29 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,154,777 to Ebrahim; claim 28 was rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,985,964 to Petersen; claim 38 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ebrahim in view of U.S. Patent Publication No. 2002/0031142 to Metin; claim 30 was rejected 35 U.S.C. § 103(a) as being unpatentable over Petersen in view of Metin; claim 30 was rejected 35 U.S.C. § 103(a) as being unpatentable over Ebrahim in view of Metin; and claims 31 and 39 were rejected 35 U.S.C. § 103(a) as being unpatentable over Ebrahim and Metin and further in view of U.S. Patent No. 7,139,838 to Squire. These rejections are traversed with respect to the presently pending claims under rejection, for at least the reasons given below.

With respect to the rejection of claims 28 and 30, those claims have been amended to recite that the several types of information contained in a packet include URL data, destination IP address data, and VLAN-ID data, and wherein the one or more type of information related to a packet transfer method that are registered include source IP address data, destination MAC address data, and VLAN-ID data. Such features can be found in

Figure 7 of the drawings and in the description of that figure in the specification. Those features that are included in the packet transfer method database, are not disclosed, taught or suggested by either Ebrahim or by Petersen.

In more detail, Ebrahim describes a system for context-dependent name resolution, whereby requests to a given service or domain name are resolved to an appropriate IP address, and wherein an intended recipient of the request is resolved based upon a combination of one or more predetermined criteria, such as information of the sender, information about the intended recipient, information contained within the request itself, or other information (e.g., time of day). The Office Action asserts that Memory 170 in Figure 4 of Ebrahim corresponds to the claimed packet transfer method database, but this is incorrect with respect to the specific features of the claimed packet transfer method database recited in independent claim 28. Column 4, lines 64-65 of Ebrahim (also cited in the Office Action with respect to the claimed packet transfer method database) merely describe that a name resolver 180 includes multiple binding tables and/or functions, whereby this falls well short of the features recited in claim 28 concerning the claimed packet transfer method database.

Petersen describes a network processor system which can intervene and modify the handling of packets based on its interpretation of peripheral processor results. The Office Action asserts that column 3, lines 53-54 of Petersen describes the features corresponding to the claimed packet transfer method database, but this assertion is incorrect. Namely, column 3, lines 53-54 of Petersen merely describes that packet routing lookups can be performed by a search engine 140, such as the well-known OSI Layer 2, Layer 3, and/or Layer 4 lookups. Such features fall well short of the specific features recited in claim 28 concerning the claimed packet transfer method database.

Therefore, independent claim 28 is not anticipated by either Ebrahim or by Petersen.

Claim 29 is patentable due to its dependency on claim 28, as well as for the specific features recited in that claim. Namely, the Office Action asserts that column 2, lines 49-56 of Ebrahim describes the claimed resource information collection section, but this assertion is incorrect. Rather, column 2, lines 49-56 of Ebrahim describes that a name resolver can bind a name to multiple destinations, and unavailable destinations can be disabled in the name

resolver's internal tables, using administrative means. This disclosure in Ebrahim falls well short of the claimed "collects resource information in a network", as recited in claim 29.

With respect to the rejection of independent claim 30 over the combination of Ebrahim and Metin and over the combination of Petersen and Metin, since Metin does not rectify the above-mentioned deficiencies of Ebrahim and Petersen with respect to the features added to the claimed packet transfer method database (the same features that were added to claim 28 have also been added to claim 30), claim 30 is patentable over the cited art of record.

Furthermore, the Office Action incorrectly asserts that Metin teaches certain features of the claimed resource control request section. The claimed resource control request section sends a request for resource control of other nodes as additional information of the transfer method. In paragraph 0039, lines 14-17 of Metin, on the other hand, each session request identifies the participating hosts and the required resources, such as network bandwidth required for a session. There is no teaching or suggestion that resource control of other nodes is performed by a resource control request section of a packet transfer method resolution server, as explicitly recited in claim 30.

Accordingly, claim 30 is patentable for these additional reasons due to the deficiencies of Metin, besides the reasons given above with respect to the deficiencies of Ebrahim and Petersen.

Still further, with respect to the rejection of dependent claims 31 and 39, the Office Action incorrectly asserts that Squire teaches the claimed entry rewriting section that rewrites entries in the packet transfer method database based on resource information in the network. In particular, column 2, lines 50-53 of Squire (cited against claims 31 and 39) describes that routing information may include a route from one domain to another to get a destination domain, whereby this says nothing about rewriting entries in a database. Furthermore, column 3, lines 1-3 of Squire describes the filtering out of some messages and information, whereby this filtering out is used to restrict information from being passed on to another node, and it is not related to rewriting information already stored in a database.

Accordingly, dependent claims 31 and 39 are patentable for these additional reasons, beyond the reasons given above for their respective base claim.

Lastly, with respect to the rejection of independent claim 38, the Office Action incorrectly asserts that Metin teaches all of the features recited in that claim.

As discussed above with respect to the rejection of independent claim 30 based in part on the teachings of Metin, the claimed resource control request section sends a request for resource control of other nodes when resource control for those other nodes is judged necessary. In paragraph 0039, lines 14-17 of Metin, on the other hand, each session request identifies the participating hosts and the required resources, such as network bandwidth required for a session. There is no teaching or suggestion that resource control of other nodes is performed by a resource control request section of a DNS server, as explicitly recited in claim 38.

Therefore, independent claim 38 is patentable over the combination of Ebrahim and Metin.

**Conclusion:**

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

, Respectfully submitted,

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